

U.S. Patent Application Serial No. 10/574,279  
Amendment filed January 9, 2009  
Reply to OA dated August 12, 2008

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

Claim 1 (Original):  $2\alpha$ -methyl- $2\beta$ -[(1,2,3-triazol-1-yl)methyl]penam- $3\alpha$ -carboxylic acid benzhydryl ester-acetone crystals.

Claim 2 (Currently Amended): Crystals according to Claim 1 that have a peak between [at] an interplanar spacing of 11.24 to 12.44  $\text{\AA}$  in the X-ray powder diffraction pattern obtained by copper radiation of  $\lambda=1.5418 \text{ \AA}$  through a monochromator.

Claim 3 (Currently Amended): A process for producing  $2\alpha$ -methyl- $2\beta$ -[(1,2,3-triazol-1-yl)methyl]penam- $3\alpha$ -carboxylic acid benzhydryl ester-acetone crystals comprising the steps of:

(A) concentrating [an] a hydrophobic organic solvent solution containing  $2\alpha$ -methyl- $2\beta$ -[(1,2,3-triazol-1-yl)methyl]penam- $3\alpha$ -carboxylic acid benzhydryl ester;

(B) dissolving introducing the resulting concentrate [in] to acetone; and

(C) precipitating  $2\alpha$ -methyl- $2\beta$ -[(1,2,3-triazol-1-yl)methyl]penam- $3\alpha$ -carboxylic acid benzhydryl ester-acetone crystals from the acetone solution thus obtained.

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Claim 4 (Currently Amended): A process for producing  $2\alpha$ -methyl- $2\beta$ -[(1,2,3-triazol-1-yl)methyl]penam- $3\alpha$ -carboxylic acid 1,1-dioxide benzhydryl ester comprising the step of reacting in [an] a solvent an oxidizing agent with  $2\alpha$ -methyl- $2\beta$ -[(1,2,3-triazol-1-yl)methyl]penam- $3\alpha$ -carboxylic acid benzhydryl ester-acetone crystals.

Claim 5 (Currently Amended): A process for producing crystals of  $2\alpha$ -methyl- $2\beta$ -[(1,2,3-triazol-1-yl)methyl]penam- $3\alpha$ -carboxylic acid benzhydryl ester comprising the step of de-acetonizing by maintaining the TMPB-acetone crystals under reduced pressure,  $2\alpha$ -methyl- $2\beta$ -[(1,2,3-triazol-1-yl)methyl]penam- $3\alpha$ -carboxylic acid benzhydryl ester-acetone crystals.

Claim 6 (Currently Amended): A process for producing crystals of  $2\alpha$ -methyl- $2\beta$ -[(1,2,3-triazol-1-yl)methyl]penam- $3\alpha$ -carboxylic acid benzhydryl ester comprising the steps of:

- (A) concentrating [an] a hydrophobic organic solvent solution containing  $2\alpha$ -methyl- $2\beta$ -[(1,2,3-triazol-1-yl)methyl]penam- $3\alpha$ -carboxylic acid benzhydryl ester;
- (B) dissolving introducing the resulting concentrate in acetone;
- (C) precipitating  $2\alpha$ -methyl- $2\beta$ -[(1,2,3-triazol-1-yl)methyl]penam- $3\alpha$ -carboxylic acid benzhydryl ester-acetone crystals from the acetone solution thus obtained; and
- (D) de-acetonizing by maintaining the TMPB-acetone crystals under reduced pressure, the  $2\alpha$ -methyl- $2\beta$ -[(1,2,3-triazol-1-yl)methyl]penam- $3\alpha$ -carboxylic acid benzhydryl ester-acetone crystals.

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Claim 7 (New): A process for producing crystals according to Claim 6, wherein the reduced pressure is from 1 to 10 kPa.

Claim 8 (New): A process for producing crystals according to Claim 6, wherein the reduced pressure is maintained at a temperature of 20°C or higher.

Claim 9 (New): A process for producing crystals according to Claim 5, wherein the reduced pressure is from 1 to 10 kPa.

Claim 10 (New): A process for producing crystals according to Claim 5, wherein the reduced pressure is maintained at a temperature of 20°C or higher.